

DULUTH AMERICAN INDIAN COMMISSION MEETING

Monday, March 17, 2008 - 5:00 p.m.

Room 402 City Hall

Minutes approved as changed on April 19, 2008

Members Present: Michele Gordon, Dr. Robert Powless, Donna Ennis, Warner Wirta, Joy Dorscher, Tony LaDeaux

Excused Absent: John Day, Ricky DeFoe, Beatrice Kitto

Absent: Mike Sayers

Staff present: Katie Nickolay, Dave Holbeck

Others present: See sign-in sheets

CALL TO ORDER, APPROVAL OF AGENDA AND INTRODUCTIONS: Officer Ramsey moved up in the agenda into position A from C. Second change, under new business called: Subcommittees

Motion by Dr. Bob, seconded by Warner to approve the agenda. Motion was approved unanimously.

REVIEW AND APPROVAL OF MINUTES FROM THE FEBRUARY 25, 2008

MEETING: Motion by Dr. Bob, seconded by Warner to approve the minutes. Minutes stand as approved by the commission.

COMMUNITY PUBLIC FORUM / OPEN PUBLIC COMMENT PERIOD:

Sherry Sanchez-Tibbets from AICHO gave an update on the progress of the new American Indian center. AICHO has been meeting with tribal governments and they are in a new phase in the project. There is direct financial support from some tribal governments. They are working with MCT, who are dedicated to relocating their Duluth offices to the center. AICHO was scheduled to close on the building in March; there have been some delays but Sherry will let the Commission know when they close on the building. Michele asked if contributions are looking positive. Grand Portage is the first group to support the project; they also have a meeting with Shakopee as they may also be contributors. Also, the housing units will be open to all people, no tribal affiliation required. AICHO is reaching out to Bois Fort and Leech Lake. Sherry said she can give a talk at Red Lake about the project and what it means for Red Lake members. The programs will incorporate Native perspectives and beliefs, mainly Anishinaabe because that is the majority of people who live here. There are also Cherokee, Dine, and Alaskan native people. It is a place for all Native people to gather and share about their cultural background. Dr. Bob commented about on how much Sherry and Maria have done to make the project come to a successful conclusion. Sherry said this project is a long time in coming and will serve the entire community of Northern MN.

Another item of interest, AICHO has been working with DAIP and PAVSA to put together a working group looking at trafficking. 354 Native women and children, last year, have been identified throughout the state as being a victim of trafficking. This work is to address the women and children and try to work with them. As this group gets going, Sherry will give updates on what the group is working on. The 354 are unknown by race but she said the characteristics of the women are that they are often Native and vulnerable people from the communities.

Alexander Gillespie from Red Lake said a task force (NE Stroke Task Force?) about stopping drugs from going from reservation to reservation has been started. The chairman of RL asked him to come and talk to Sherry about setting up an office in Duluth.

Dr. Bob said to drive out to the Biauxwah bridge. It now has a sign up about it being in honor of Native American veterans. Dr. Bob said to thank Miss Stark, who works for the city, because she helped make this happen. She helped by finding funding sources. She will be invited to the ceremony this spring that honors the bridge and remembers Native veterans.

OLD BUSINESS:

Commission Liaison with the Children's Justice Initiative (CJI) –

Donna talked about the CJI meeting she went to in March at Carol DeVerney's request. They talked about the lack of enforcement by the police on the tribal court orders. They are setting up an Indian Child Welfare training. Donna plans to go to the CJI meetings which are held on the first Monday of the month. She will bring back issues that she feels the Indian community would like to hear about.

Lake Superior Barrels Disposal, Report from DAIC Subcommittee – Warner talked about his handout (given to commissioners) and the superfund sites and how there are areas of Lake Superior that are covered by the superfund sites. He said people need to become aware of the fact that there is danger in the government cover-up of these sites. In April, the City Council will have an educational review with the Red Cliff people on the barrels of Lake Superior, people should be notified. It appears that the federal government is trying to hide things in their reports by having paperwork that buries the problems. Warner said the Commission should make itself visible to show its concern for the barrels problem. Warner said the Commission should recommend doing something about this issue. Joy had a question about what day in April, Warner said the first week in April but the city should notify the Commission on when the seminar should take place. Warner said the Commission needs to make the necessary contacts of Rep. Mike Jaros, city officials, and other people who are interested. Warner talked about all the chemicals that are in the water and that it is a very bad situation.

1. Duluth Police Department Update – Police Chief Ramsay updated the Commission. He addressed the issues of programs the PD is working on with the Native community and the issue of the deaths of Native people in the area. Ramsay talked about the Goggeye and Buckanaga homicides. Both these men were Native and it was physical altercations that caused their deaths. Neither case was charged by the county attorney's office. Ramsey suggested the commission invite the attorneys to have a

discussion about these crimes. Throughout the state, there are varying degrees of prosecution on crimes like these, intent also factors into the issue. The PD sent these crimes to the attorney's thinking that there was enough evidence to charge but it is up to the attorney's discretion. Joy asked what the attorney's do, Ramsay said they send back an answer of if they are charging or not, usually the attorney's say there is insufficient evidence but usually not a lot of details about what more they need. In the case of the Smith's homicide, Ramsay said other investigators will be looking at it to see if there is anything the initial investigators missed.

The PD has formed a partnership with PAVSA. PAVSA is monitoring all crimes of sexual assault of Native women to see if there are discrepancies in how cases of white women are being dealt with in comparison to how Native women are being treated. PAVSA is going back into old files and with each new case they are following the women and comparing the responses and making sure they are appropriate and consistent with how they deal with cases of white women.

Ramsay is working with Rachel Pelosi about human trafficking issues, specifically the trafficking of young Native women. The PD is working on getting more resources to put into this.

There is a new part-time position that is an opportunity for the PD to find people of color who would like to work as a police officer in the future. There have been similar jobs in other cities in order to bring in more people of color into the PD. It is meant for college students who are thinking about going into a law enforcement position.

One Native man from FDL and one Asian woman have joined the force. An African American woman was hired to a parking meter enforcement position. There were 11 new hires total and they will be hiring another 6 people this summer.

Donna went to the CJI as a representative of the AIC. Discretion took place involving tribal court orders (for removal of children), Carol DeVerney said there was inconsistency by the police in delivering these orders. What could be helpful to have police officers enforcing the tribal court orders? The suggestion was to talk to Chief Ramsay about it. Donna said it may be helpful for an officer to sit in on CJI meetings. Ramsay said an in-service training could take place with the patrol officers so the jurisdictions could be explained to the officers. CJI is planning an Indian Child Welfare training. Ramsay said they need to go through the county attorney's office to schedule this. Ramsay said there is nothing in the protocol about tribal court orders but Donna said these orders (tribal) shouldn't be handled any differently than the other court orders. The independent civilian review board was talked about at the meeting with the mayor. Donna asked Ramsay his position on the ICR model. Ramsay said the PD is represented at most of the civilian review boards but a lot of it comes down to money.

Ramsay said if Tony knows of a funding source, that would help the board tremendously. Ramsay said he supports the idea of this review board.

Ramsay said Diver made complaint that a police officer took a man's tribal ID. They checked records and couldn't find it. They did training on tribal IDs and told officers that these IDs were legitimate and should not be confiscated. Officers now have a better understanding of what these IDs are, how they are obtained, etc.

Tom Roy at Arrowhead Regional Corrections is making an effort to look at the disproportion of Native kids in out-of-home placements. There are major discrepancies, there are far more Native kids in out-of-home placement than white kids.

Warner talked about how these issues need more money to keep them going.

Dr. Bob said it would be worthwhile to bring someone in from the Native alcohol treatment center in Sawyer to address the recidivism issue. Jim Mallory at Mash-ka-wisen treatment center was a possible contact.

Donna said Judge Floerke and Tom Roy should be invited to the meeting that deals with children's issues.

NEW BUSINESS:

Spirit Mountain Recreation Area, Long Range Plan – Renee Matson

Renee talked about how the work on the master plan update is coming to fruition. Last year they took bids on the projects and proposals. They took a bid from Johnson Controls who is helping with long-range planning. The sessions talked about various issues such as hiking trails, ski trails, a new chalet. They met with the board in November and ranked the suggestions with how realistic they were. Spirit Mountain is not supported by public dollars. This was a good year at Spirit Mountain. In the next few weeks, those ideas will be talked about until they come up with a workable plan. Much of this relates to the aging infrastructure, new lifts and parking facilities are needed. Expanding the campground may happen too. By the end of the month, there should be more solid plans that will be revealed to the public. It is hoped that by July their plans will be approved. The plan is dynamic and they hope to accomplish things in these plans in 18 months. The people who run Spirit Mountain hope for it to become more of a four season facility. Warner said he wanted to see more input from the Indian community about Spirit Mountain. He said he wants a member from the Indian community sitting on the member board. Renee said everyone is invited to meetings, 3rd Thursday of the month at 5pm at Spirit Mountain. This next meeting is about the budget approval for next year. Renee invited Karen Diver to attend. Renee said they have to have a chalet to increase attendance at Spirit Mountain. She said they need a smaller chalet at the bottom of the hill. Warner said that Indians should have more of a say-so in these issues (although he knows that these positions are appointed by the Mayor) because Duluth is surrounded by ceded territories; there should be much more Native involvement in Spirit Mountain. Indians should have a fairly large input in what is being done at Spirit Mountain.

Dr. Bob commented about the work Renee has been doing on this issue. He said it is important that what this board does doesn't offend Native people in the area. He talked about how the area has a spiritual connotation to Indian people in the area. Renee said she does not want this to become offensive to Native people, she is aware of the public perception and said she has worked to be sensitive to issues that affect Native people. She said it was made clear to her what in the park should not be touched. Renee said an area has been set aside for a site marker that Native people could utilize in the future. Renee said they want to make the site more accessible for more people to get there.

Warner talked about the importance of Sprit Mountain to Native people right now and that Indians have always been here and that they are still here; they set up Spirit Mountain and sanctified it. Renee said she does not feel qualified to speak on behalf of Native people and that the plaque would be turned over to Native people to design/create. They set aside potential for this plaque to be there. Warner talked about the disrespect of racing and motorized vehicles being used on Spirit Mountain. He talked of his feelings about these races going over the bones of his fathers and mothers and how it is dishonoring his ancestors. Renee said the races have been there for 16 years and it is a business decision. Warner said the Mayor should know of these issues. Michele said it is important for Commission members to attend these board meetings. Joy said the words and values from the Indian community should be actively sought. She said in this room there are many people from different places who have much wisdom and knowledge to be shared on this topic. Joy said the American Indian community has a different view on Spirit Mountain. Joy talked about the Mountain having many different meanings to different tribes. Renee said when the unveil happens in April, the commission will be given a heads up so the Commission can attend. She wants the Commission to feel welcome and invited to these meetings. Renee has notified Karen Diver at FDL and Warner said this was not enough. He said she should contact people from tribes in all the ceded territories. They haven't notified enough people and Renee coming to the meeting made her aware of the diversity of Native people represented in the Commission alone. Joy said she appreciated Renee coming here and she wants dialogue between Renee and the Commission. The first draft comes out in April for the public. Joy asked if Renee can come back in April. Renee said she feels it is important to continue dialogue and she would come back in April. Renee said if the Commission provides her with RBC contact info in the ceded territories, she will get upcoming info out to them.

Commission Officer's March 6th Meeting with Mayor Ness –

Michele, Joy, and Donna talked with Mayor Ness on March 6th. The officers met with him to update him on some issues that are important to the Indian community. They went over the 2008 calendar agenda so he could see what is up for the year. Ness did talk about the meeting he had with Red Cliff about the barrels. Most of the things they brought up, Ness seemed to be on top of. Ness talked about the Red Plan and wondered why the Commission isn't asking more questions of the school district about the Red Plan. He thought there would be more questions from the Native community about how the lines will be divided and drawn. Powless said there were upcoming issues of transportation concerning the Red Plan and how kids will be transported to school. He said there is a plan of goals and objectives coming from Native people who work in education that they would like to see incorporated in the problematic issues of the Plan. He said there will be something presented along those lines by the Superintendent to the school board in the near future. Donna said they talked about the civilian review board, Ness wanted to back the police chief, if Ramsay is in support, Ness is as well. Ness is ready to appoint 2 new commissioners to replace Brian Wilson and Mike Sayers. He will also appoint a new commissioner when John Day's term expires. They also talked about housing issues, racial profiling, and homeless people in

St. Louis County. They expressed their appreciation of John Judd and Keith Hamre in the support they give the Commission.

Changes to DAIC By-Laws (Commissioner Terms and Establishment and Function of Subcommittees) – Donna and Joy

There was a revision to the By-Laws for 3 commissioners whose second term was due to expire Jan 22, 2008. The amendment allowed for a third term to be served by Commissioners. It was approved with one abstention. John Judd created the document, allowing for the third term to be served by Commissioners. This is mostly for the consistency for the subcommittees and so the chairs of the committees can serve only 2 terms as official positions. The Mayor appoints the chairs to the Commission from the recommendations from the Commission.

Subcommittees

The month following the annual meeting, the subcommittees should be set for the year (standing committees). Three official subcommittees are the barrels committee, Indian center/low income housing committee, and the independent review board committee. Joy said in order to keep track of everything, maybe they should dissolve and reappoint all committees. The proposed way of doing it was that there are to be no more than 3 members on a subcommittee and that Commission co-chairs cannot also chair subcommittees. From time to time, subcommittee members can invite a knowledgeable member to the subcommittee in a consulting role, but not as a member of the subcommittee. The Chair for Lake Superior barrels is Ricky DeFoe, independent civilian review board chaired by Tony LaDeaux, and Dr. Bob Powless is chairing the Indian housing subcommittee. Joy suggested putting it on the work plan about reformation of subcommittees, so the Commission can remember when it needs to be done.

Discussion: Powless said to make sure to put “standing” behind the subcommittees in the bylaws. Powless said if money is involved in the subcommittee, the entire Commission should be involved because everyone has different funding sources. Donna read from the bylaws and said that the chairs of subcommittees should have been determined at the Feb. meeting.

Brad and Greg will be able to serve as consultants to the subcommittee members, but only as knowledgeable people, from which the subcommittees could seek information. Motion by Joy to approve the restructuring of the sub-committees as written in the report, seconded by Dr. Bob. The motion passed unanimously.

ANNOUNCEMENTS, UPCOMING EVENTS AND COMMENTS FROM COMMISSION MEMBERS:

Dr. Bob: He feels it is important that the Commission support the racial issues about what ISD 709 is doing. He said that American Indian kids need to be supported during the Red Plan. Secondly, he is grateful that they have people on the Commission who have a wide range of thoughts and that the Commissioners don't always agree with everything. He wants to see more people on the Commission with many different thoughts. He says the Commission is good in allowing people to talk and that the Commission gets an audience, which is rare for Commissions here.

Tony: The meeting on March 12 went well although Tad Johnson was not able to be there. Carol Driscoll and Rick DeFoe attended. He said a lot of ICWA issues came up and questions about the school districts. He talked about how these issues are about the kids and not about the people (Dixon, Ramsay) that the Commission sees. The Civilian review board is close to being wrapped up. There is a new report out about the police accountability board. Tony talked about inside info on the homicide cases that cannot be exposed and the difficulties around that. He says by holding police accountable, it creates trust. Powless added that these crimes are not forgotten and people do care about them.

Warner: He feels he has a lot of agreement about the topic of reservations being sovereign. He wonders why the reservations aren't approaching the federal attorneys. He said Red Lake is independent from the other Indian reservations and because of that, they are much closer to many issues.

Donna: Commented on Renee's position on being here tonight. She felt the Commission had differing opinions with her and that she did not seem very receptive to the Commission's ideas. She feels the time has passed for the Commission to have impact on what will be happening shortly at Spirit Mountain. She hopes that the Native community becomes involved and gets to have a say at what happens on the Mountain. She wanted to stress the diversity that Native people from different tribes have.

Joy: She felt that Renee came away with the idea that there is great diversity of opinion from Native people. Joy said she felt it was a huge win that Warner convinced Renee to contact the RBCs. Joy appreciated the fact that Warner made Renee understand that many tribes have different views on Spirit Mountain and to get the view of FDL only isn't enough. Joy appreciated the work Warner has done to get Renee here and really listen to what he and the Commission members were telling her about RBCs. She talked about the importance of history to Native people. She talked about as she gets older she gets less patient about educating people on Native issues.

Katie: Reported that addresses and phone numbers of Commission members were not allowed to be given out to the public or press by John or any other City employee.

Michele: The work of the Commission is never done and the people (public) who attend the Commission meetings are important because they learn a lot from the meetings. She said she tries to be patient and keep on teaching people about Native people, history, and culture.

NEXT MEETING/DATE/LOCATION:

April 21, 2008 in Room 402 City Hall.

ADJOURNMENT: Motion by Donna to adjourn, seconded by Dr. Bob. Meeting was adjourned.